

## **REMARKS**

New claims avoid the claim objections under 35 U.S.C. §112 objection of previous claims.

The Examiner rejected previous claims 14-16, 18-19, and 24-27 under 35 U.S.C. §102 as anticipated by Malik. Claims 20 and 21 were rejected under 35 U.S.C. §103 as unpatentable over Malik in view of Black. Claims 17, 22, and 23 were rejected under 35 U.S.C. §103 as unpatentable over Malik in view of common practices in the art.

New claim 28 distinguishes over Malik alone or Malik combined with Black, or Malik combined with common practices in the art for the following reasons.

Claim 28 recites creating at least one first source code with a plurality of instructions in a programming language. To the contrary, in Malik a template is created with the aid of a configuration manager by selecting a model type and one or more attributes from the associated set of attributes. As a result, the template comprises model-specific parameters of a network element. Thus, the template itself is created with the aid of software and is thus not a first source code with a plurality of instructions in a programming language.

Claim 28 next distinguishes by reciting from the first source code generating a second source code with a plurality of instructions in the programming language, the identifier of the data object being replaced by at least one part of the data stored in the databank regarding said data object. This is not the case in Malik. In column 4, lines 1 and 2 of Malik a template is defined as a record which contains a list of attributes for which the configurations will provide values. In the case of a virtual network having several networks entities in a system for maintaining and processing information pertaining to the condition of the computer network, the “models” are

implemented as software objects containing both “data” (attributes) relating to the corresponding network entity and one or more “inference handlers” (functions) for processing the data (see column 4, lines 41-44 of Malik). The “inference handlers” comprised by the software do not create from a first source code a second source code with a plurality of instructions for the programming language in which the identifier of the data object is replaced by at least one part of the data stored in the databank regarding the data object.

Claim 28 next distinguishes by reciting from the first source code generating a second source code with a plurality of instructions in the programming language. Malik is different. Malik creates a so-called configuration from the template (record which contains the list of attributes). According to Malik’s definition at column 3, lines 61-64, configuration is a record of all attribute/value pairs which are obtained by interrogating the selected models through the template. The record may be stored in the configuration manager. Such a configuration is not a second source code with a plurality of instructions in the programming language.

Claim 28 next distinguishes by reciting generating a program code for execution in a control unit of the printer or copier with aid of the second source code. But there is no second source code with a plurality of instructions in the programming language. Therefore as explained above, this step is also not anticipated or suggested by Malik.

The method of claim 28 would not be obvious to one skilled in the art from Malik. It would not be obvious from Malik to provide a first source code with a plurality of instructions of a programming language, the source code containing the identifier of the data object and from the first source code generating a second source code with a plurality of instructions for the programming language whereby

the identifier of the data object is replaced by at least one part of the data stored in the databank regarding the data object. Also the step of generating a program code for executing in a control unit of the printer or copier with aid of the second source code is completely different from Malik. In Malik, only a model-dependent parameter set for a network device is created, a list of attributes (the template) for a network model being creatable with the aid of a software. However, the method steps of claim 28 substantially differ from Malik since in claim 28 the first source code itself is changed and subsequently a program code is generated for execution in a control unit of a printer or copier.

Dependent claims 29-32 distinguish at least for the reasons noted with respect to claim 28 and also by reciting additional features not suggested.

Independent device claim 33 distinguishes for the reasons noted with respect to claim 28.

Allowance of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Respectfully submitted,

 (Reg.No.27,841)

Brett A. Valiquet  
Schiff Hardin LLP  
Patent Department  
6600 Sears Tower Chicago, Illinois 60606  
Telephone: (312) 258-5786  
Attorneys for Applicants.  
**CUSTOMER NO. 26574**